IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 4944 of 2004

Between:

Y.Rangayanakulu, s/o Y.C.Papaiah,
r/o Karamchedu, Prakasam District.

..... PETITIONER

AND

1.The Commissioner of Collegiate Education, Andhra Pradesh,Hyderabad.
2.The Regional Joint Director of Collegiate Education, Guntur,.
3 V.R.S., & Y.R.N.College, Chirala, Prakasam District rep., by its
Secretary and Correspondent

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ, order or direction declaring the proceedings R.C.No.650/Admn.III-1/1997 dated 25-9-2003 issued by the Director of Collegiate Education, Andhra Pradesh, Hyderabad, 1st respondent herein as illegal, arbitrary, unreasonable and violative of Articles 14 and 16 of the Constitution of India and opposed to the judgment of this Hon'ble Court dated 23-12-2003 passed in WP Nos.16549 of 1992 and 4583 of 1993 and consequently direct the respondents herein to fix the seniority of the petitioner by reckoning the seniority from the date of his initial appointment in the 3rd respondent college i.e., 9-10-1974 with all consequential benefits

Counsel for the Petitioner: MR.A.SREEDHAR

Counsel for the Respondents No.1 &2 : GP FOR EDUCATION

Counsel for the Respondent No.3 : Mr B. ADINARAYANA RAO

The Court made the following :

ORDER:

Heard the Counsel on either side. At their request, the main writ petition itself is taken up for disposal.

In the main writ petition, the petitioner seeks to assail the impugned orders of the first respondent in R.C.No. 650/Admn. III-1/1997 dated 25.9.2003 rejecting his claim for fixing the seniority.

It is now represented by the counsel on either side that in the similar facts and circumstances of the case similar question has been decided by this Court through its orders dated 23-12-2003 and allowed the W.P.Nos. 16549 of 1992 & WP 4583 of 1993 and the similar objections raised on behalf of the respondents were stood rejected.

Learned Government Pleader for Higher Education represented that aggrieved by the orders in the above writ petitions, Writ Appeal No.1061 of 2004 has been filed and the same is pending.

However, being no interim orders granted therein in the Writ appeal, following the orders passed in the above writ petitions, the petitioner herein is also entitled for a direction against the respondents to reckon his services w.e.f. 9-10-1974.

Accordingly, the writ petition is allowed and the impugned order dated 25-9-2003 is

set aside, directing the respondents to reckon the petitioner's services with effect from 9-10-1974. No costs.

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Dt 28/12/04 B. PRAKASH RAO, J

Kvrk

To

1.The Commissioner of Collegiate Education, Andhra Pradesh,Hyderabad.
2.The Regional Joint Director of Collegiate Education, Guntur,.
3 The Secretary and Correspondent,

V.R.S., & Y.R.N.College, Chirala, Prakasam District.

4. Two CCs to G.P for Higher Education, High Court Buildings, Hyderabad(OUT)

5. Two CD copies.